

telecommunications service, throughout the State.⁴⁵ In 2007, the commission designated Mobi as an ETC for the service areas of HTI and SIC.⁴⁶

On June 20, 2014, Mobi filed its report for annual certification as an ETC and requested that the commission certify to the FCC and USAC that it is eligible to receive USF support in accordance with the FCC's rules.⁴⁷ With respect to the Reporting Requirements, Mobi provided necessary information or indicated how the requirement is inapplicable.⁴⁸ In response to Reporting Requirements B(1) and B(2), Mobi provided information regarding: (1) the percentage of all out-of service troubles cleared within 24 hours; and (2) the number of customer trouble

⁴⁵See In re Coral Wireless, LLC dba Mobi PCS, Decision and Order Nos. 21744 and 23234, filed on April 14, 2005, and January 31, 2007, in Docket Nos. 05-0018 and 2006-0457, respectively.

⁴⁶See In re Coral Wireless, LLC dba Mobi PCS, Decision and Order No. 23275, filed on February 23, 2007, in Docket No. 05-0300.

⁴⁷See 2014 Annual Certification Report of Coral Wireless, LLC dba Mobi PCS, Certification Statement Pursuant to FCC Order No. 01-157, and Certificate of Service (collectively, "Mobi's Report"). Consistent with the commission's requirement, a copy of Mobi's Report was served on the DHHL and the OHA. See Mobi's Report, Certificate of Service at 1.

⁴⁸Certain requirements were provided or elaborated on in Mobi's response to issued IRs.

reports per 100 lines per month as confidential information.⁴⁹ Mobi also submitted information regarding (1) the number of customers and the services it provides in each wire center or census block; (2) information regarding its capital, operating, and maintenance expenditures; and (3) an update of its projects planned for the previous calendar year for which it received USF high-cost support, in response to Reporting Requirements B(4)(1) through B(4)(3).⁵⁰

Finally, Mobi included as part of its report the Certification of its Chief Financial Officer, Mark Woelfel, who certifies, among other things, the following:

All federal universal service support funds received by Mobi PCS during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the period January 1, 2014, through December 31, 2014, to be eligible for federal universal service support.

Mobi's Report, Certification Statement Pursuant to FCC Order No. 01-0157, at 2.

⁴⁹The information is included in Mobi's confidential Attachment filed on July 18, 2014, and as such, shall not be further identified herein.

⁵⁰The information is included in Mobi's confidential Attachment filed on July 18, 2014, and as such, shall not be further identified herein.

Upon the Consumer Advocate's expedited review of Mobi's annual certification submission,⁵¹ it recommended that Mobi (1) confirm the Consumer Advocate's understandings of Reporting Requirements A(1) and A(2), and (2) provide further information to support Mobi's position regarding its compliance with Reporting Requirements 3(b) and 3(d).⁵²

On August 21, 2014, Mobi filed its Responses to the Division of Consumer Advocacy's Statement of Position and Request for Additional Information ("Mobi's Reply"), and provided detailed, thorough information which appropriately addresses the issues raised in the Consumer Advocate's SOP.⁵³

Upon review, the commission finds that Mobi has provided sufficient information to address the issues raised in the Consumer Advocate's SOP. Further, Mobi has adequately satisfied the Annual Certification Requirements adopted in Decision and Order No. 30932. The commission, based on its independent review of Mobi's filings, concludes that Mobi has provided all of the required information and certifications mandated by the commission, as applicable. Accordingly, the commission finds and concludes that Mobi has sufficiently

⁵¹Consumer Advocate's SOP at 2.

⁵²Consumer Advocate's SOP, Attachment 2 at 1-2.

⁵³The information was provided by Mobi under seal, and as such, shall not be further identified herein.

satisfied the Annual Certification Requirements adopted by the commission in Decision and Order No. 30932, and that certification should be provided to the FCC and USAC that all federal high-cost support provided to Mobi was used in 2013 and will be used in 2015 only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a).

D.

Pa Makani

Pa Makani, an affiliate of SIC, is authorized by the commission to provide wireless telecommunications services in the State.⁵⁴ In 2012, the commission designated Pa Makani as an ETC for SIC's study area.⁵⁵

On June 20, 2014, Pa Makani filed its annual certification report for the commission's evaluation.⁵⁶

⁵⁴See In re Pa Makani LLC, dba Sandwich Isles Wireless, Decision and Order, filed on August 4, 2011, in Docket No. 2011-0131.

⁵⁵See In re Pa Makani LLC, dba Sandwich Isles Wireless, Decision and Order No. 30309, filed on April 10, 2012, in Docket No. 2011-0145.

⁵⁶See Submission of Pa Makani LLC dba Sandwich Isles Wireless' Annual Certification as an Eligible Telecommunications Carrier, Attachments 1-7; Certification Statement, Pa Makani LLC dba Sandwich Isles Wireless, FCC Order No. 01-157 ("Certification Statement"); and Certificate of Service, filed on June 20, 2014 (collectively, "Pa Makani's Report").

With respect to each requirement, Pa Makani provided the necessary information or indicated how the requirement is inapplicable. In response to A(1), Pa Makani states that it has not applied for a waiver from the \$250/line/month cap on universal service support as specified in 47 C.F.R. § 54.302.⁵⁷ Further, Pa Makani certifies that it notifies customers and agencies of any known planned service interruptions, in response to Reporting Requirement B(3).⁵⁸ Pa Makani provides information regarding the number of its locations in each of its wire centers within its service area in 2013 and those anticipated in 2014, in response to Reporting Requirement B(4)(1), as Confidential Attachment 1.⁵⁹ In response to Reporting Requirement B(4)(2), Pa Makani states that it "provides wireless telephone service, texting and data services to all of its locations (as described in Confidential Attachment 1) and anticipates continuing to provide these services to all new locations in the future."⁶⁰ With respect to information regarding

Consistent with the commission's requirement, a copy of Pa Makani's Report was served on the DHHL and the OHA. See Pa Makani's Report at 10.

⁵⁷See Pa Makani's Report at 5.

⁵⁸Pa Makani's Report at 6.

⁵⁹On July 15, 2014, Pa Makani filed confidential documents; the information is included in Attachment 1 of the confidential documents and, thus, shall not be further identified herein.

⁶⁰Pa Makani's Report at 7.

its capital, operating, and maintenance expenditures, and the status of its projects (previous and planned), in response to Reporting Requirement B(4)(3), Pa Makani refers to Confidential Attachments 2, 5, 6, and 7 as part of the confidential documents filed on July 15, 2014,⁶¹ and states the following:

SIW [Sandwich Isles Wireless], in partnership with Sandwich Isles Communications, Inc. ("SIC"), continues to work closely with DHHL to jointly plan the deployment of infrastructure for newly developed HHL subdivisions on each of the islands. SIW continues to provide universal service to DHHL beneficiaries at a reasonable price. SIW has not received any universal high-cost support for the previous calendar year as of yet.

Pa Makani's Report at 7-8.

Pa Makani also provides the necessary certification regarding record retention in response to Reporting Requirement B(4)(4),⁶² and includes as part of its report the Certification Albert S.N. Hee (President of Waimana Enterprises Inc., Manager of Pa Makani) who certifies, among other things, the following:

All federal universal service support funds received by Pa Makani LLC dba Sandwich Isles Wireless during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which

⁶¹The information is included in Attachments 2, 5, 6, and 7 of the confidential documents and thus, shall not be further identified herein.

⁶²Pa Makani's Report at 9.

the support is intended. The company will continue to comply for the next calendar year in order to be eligible for federal universal service support regardless of the rule under which that support is provided.

Pa Makani's Report, Certification Statement at 1-2 (footnote omitted).

Upon the Consumer Advocate's expedited review of Pa Makani's annual certification submission,⁶³ it contended that Pa Makani did not provide a certification pursuant to 47 C.F.R. § 54.313(a)(10). The Consumer Advocate recommended that Pa Makani provide (1) the required certification, and (2) a legible copy of its FCC Form 481 filed on June 30, 2014. The Consumer Advocate also sought additional information relating to Pa Makani's projects in 2013.⁶⁴

On August 21, 2014, Pa Makani filed a Reply to the Consumer Advocate's SOP ("Pa Makani's Reply"), which included confidential material as an Attachment, subject to Protective Order No. 32204. According to Pa Makani's Reply, Pa Makani filed its FCC Form 481 on June 30, 2014, and supplemented it with an un-redacted version on July 15, 2014.⁶⁵ Pa Makani acknowledged, however, that unbeknownst to it, the Consumer Advocate's copy of

⁶³Consumer Advocate's SOP at 2.

⁶⁴Consumer Advocate's SOP, Attachment 3 at 1-2.

⁶⁵Pa Makani's Reply at 3.

the filing was rendered illegible.⁶⁶ As such, Pa Makani's Reply included as Exhibits an enlarged, clean, redacted copy of its FCC Form 481, and an enlarged version of the un-redacted SIW FCC Form 481, under seal.⁶⁷ Lastly, Pa Makani addressed the Consumer Advocate's issue with Pa Makani's projects in 2013.

Upon review, the commission finds that Pa Makani has sufficiently satisfied the Annual Certification Requirements adopted in Decision and Order No. 30932. The commission, based on its independent review of Pa Makani's filings, concludes that Pa Makani has provided all of the required information and certifications mandated by the commission, as applicable.

Based on the foregoing, the commission finds and concludes that Pa Makani has sufficiently satisfied the Annual Certification Requirements adopted by the commission in Decision and Order No. 30932, and that certification should be provided to the FCC and USAC that all federal high-cost support provided to Pa Makani was used in 2013 and will be used in 2015 only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a).

⁶⁶Pa Makani's Reply at 3.

⁶⁷Pa Makani's Reply at 3.

E.

Summary of Findings and Conclusions

In sum, based on the commission's determinations as discussed above, the commission finds and concludes that HTI, SIC, Mobi, and Pa Makani have each sufficiently complied with the Annual Certification Requirements adopted by the commission in Decision and Order No. 30932. The commission further finds and concludes that certification should be provided to the FCC and USAC that all federal high-cost USF support provided to HTI, SIC, Mobi, and Pa Makani was used in 2013 and will be used in 2015 only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a).

III.

Orders

1. HTI, SIC, Mobi, and Pa Makani have sufficiently complied with the Annual Certification Requirements adopted by the commission in Decision and Order No. 30932.

2. Certification is provided to the FCC and USAC that all federal high-cost USF support provided to HTI, SIC, Mobi, and Pa Makani was used in 2013 and will be used in 2015 only for the provision, maintenance, and upgrading of facilities and

services for which the support is intended, pursuant to 47 C.F.R.
§ 54.314(a).

3. This docket is closed unless ordered otherwise by
the commission.

DONE at Honolulu, Hawaii SEP 22 2014.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By *Hermina Morita*
Hermina Morita, Chair

By *Michael E. Champley*
Michael E. Champley, Commissioner

By *Lorraine H. Akiba*
Lorraine H. Akiba, Commissioner

APPROVED AS TO FORM:

Mel M. Mash
Melissa M. Mash
Commission Counsel

2014-0126.sr

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail,
postage prepaid, and properly addressed to the following parties:

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